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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Koji Moriguchi, et al.  
Appl. No.: 09/292,834  
Filed: April 16, 1999  
Title: GRAPHITE POWDERS SUITED FOR NEGATIVE ELECTRODE  
MATERIAL OF LITHIUM ION SECONDARY BATTERY  
Art Unit: 1754  
Examiner: S. Hendrickson  
Docket No.: 112857-034

Assistant Commissioner for Patents  
Washington, DC 20231

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PRELIMINARY AMENDMENT

Sir:

In response to the Office Action dated March 19, 2002, please amend the above-identified patent application as follows:

**In the Claims:**

Please amend Claim 1 as follows:

1. (Four times Amended) A graphite powder comprising a carbon material containing 0.01 to 5.0 wt% of boron and including a surface structure selected from the group consisting of a single-layered looped closure structure, a multi-layered looped closure structure, and combinations thereof, at an end of a graphite c-planar layer on at least a surface of cleavage formed by shearing; wherein the density of the interstitial planar sections between neighboring closure structures is not less than 100/ $\mu$ m and not more than 1500/ $\mu$ m; and wherein said carbon material is surface processed by scraping the surface of the graphite c-planar layer.

REMARKS

Applicants note for the record that this Preliminary Amendment is submitted contemporaneously with Applicants' Request for Continued Examination. The Preliminary Amendment is being filed in response to the Office Action dated March 19, 2002. The Office Action rejects Claims 1-4 and 7-10 under 35 U.S.C. §§ 102(b), 102(e), and/or 103(a); and Claims 1-10 under 35 U.S.C. § 112, second paragraph.

Claims 1-10 are pending in this Application. Claim 1 has been amended. Applicants respectfully submit that the amendment adds no new matter and is fully supported by Applicants' originally filed Specification.